

REMARKS/ARGUMENTS

Claims 47-54 are currently pending in this application. In this Amendment, claims 47 and 51 have been amended. Support for these amendments can be found in the Specification, Claims and Drawings as originally filed. No new matter has been added by these amendments. As set forth more fully below, reconsideration and withdrawal of all of the Examiner's rejections is respectfully requested.

The Examiner has rejected Claims 47-54 under 35 U.S.C. § 112, first paragraph, as lacking enablement for two reasons. In the first reason, the Examiner argues that the Specification does not reasonably provide enablement for the claimed method of monitoring multiple sclerosis. In the second reason, the Examiner argues that the Specification does not reasonably provide enablement for the claimed method of diagnosing multiple sclerosis with any biological sample. For the reasons set forth below, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Applicant respectfully traverses the Examiner's first reason for rejection, relating to enablement for the claimed method of monitoring multiple sclerosis. Applicant believes the Examiner's position to be in error and that the Specification is sufficiently enabling for a person having ordinary skill in the art relating to the claimed method. The Specification, as it was filed, clearly indicates that the claimed method can detect the presence or absence of active multiple sclerosis in a patient. *See, e.g.*, page 18, line 16 through page 19, line 16, and Example 2 of the Specification. Therefore, a single use of the claimed method will allow the skilled artisan to determine whether or not a patient is currently experiencing active multiple sclerosis. Further, the use of the claimed method over a period of time, on successive samples obtained from a single patient, will allow the skilled artisan to determine the number of active episodes of multiple sclerosis the patient experienced during that period of time. This information could be used, for example, to determine whether treatments administered to the patient have served to eliminate active multiple sclerosis or to reduce the number, or frequency, of active multiple sclerosis episodes in that patient. Therefore, through use of the claimed method, the skilled artisan could readily monitor multiple sclerosis in a patient. Applicant therefore submits that the Examiner's position is in error and that

the Specification is sufficiently enabling for the claimed method of monitoring multiple sclerosis. Reconsideration and withdrawal of this rejection is respectfully requested.

In response to the Examiner's second reason for rejection, relating to the enablement for the claimed method of diagnosing multiple sclerosis, Applicant has amended claim 47 to specify that the biological sample is blood, plasma, serum or cerebrospinal fluid. In the first paragraph of page 3 of the Office Action, the Examiner acknowledges that the specification is enabling for blood, plasma and serum. Applicant submits that markers found in the blood that can be used for diagnosis of multiple sclerosis will also be found in the cerebrospinal fluid, because multiple sclerosis is a central nervous system disease. Therefore, for these markers to be present in the blood, they must be passed from the central nervous system to the bloodstream. In fact, the two DKP compounds recited in the claimed method are degradation products of beta amyloid and myelin basic protein, both of which are central nervous system proteins (*see, e.g.*, page 25, last full paragraph, of the Specification). Therefore, the skilled artisan would readily recognize that the claimed multiple sclerosis markers that are present in blood, plasma and serum would also be present in cerebrospinal fluid. Accordingly, Applicants believe that these amendments are sufficient to overcome this objection. Reconsideration and withdrawal of this objection is respectfully requested.

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Amendment dated August 27, 2008

Based at least upon the foregoing, Applicant believes that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,
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